

NO. 24702

IN THE SUPREME COURT OF THE STATE OF HAWAII

TRUSTEES UNDER THE WILL AND OF THE ESTATE OF BERNICE PAUHI
BISHOP, DECEASED, also known as KAMEHAMEHA SCHOOLS,
Petitioner-Appellee

vs.

MARGARET U. TATEISHI, Respondent-Appellant

APPEAL FROM THE FIRST CIRCUIT COURT
(S.P. NO. 00-1-0074)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama, Ramil, and Acoba, JJ.)

Upon review of the record, it appears that: (1) the circuit court's December 20, 2000 order granting Kamehameha Schools' petition in S.P. No. 00-1-0074 is not a collateral order affecting rights independent of, and separable from, the rights asserted in the main action, but is the order disposing of the main action to compel arbitration of the lease rent renegotiation; (2) the December 20, 2000 order, the Honorable Eden Elizabeth Hifo, presiding, was not reduced to a separate judgment pursuant to HRCP 58; see Jenkins v. Cades Schutte Fleming & Wright, 76 Hawai'i 115, 869 P.2d 1334 (1994); and thus, (3) this appeal is premature and we lack jurisdiction.

Therefore,

IT IS HEREBY ORDERED that this appeal is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, March 28, 2002.